

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
9:00 A.M., January 6, 2004

City Council Chambers
455 North Main

ORDER OF BUSINESS

- Call to Order
 - Invocation
 - Pledge of Allegiance
 - Approve the minutes of the previous meeting
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AWARDS AND PRESENTATIONS

- Proclamations
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PUBLIC AGENDA

- 1. Loren Mumma-Victim Impact Statement
 - 2. Dorman Blake-Come to the rescue.
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UNFINISHED BUSINESS

- 3. Conditional Use for Car Sales on Property Zoned Limited Commercial, Generally Located at the Northeast Corner of Piatt and Central. (District I)
(Deferred from 11-18-2003)

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the Conditional Use to permit a used car sales lot, subject to the recommended conditions: or

- 2. Take other appropriate actions.

- 4. Change Order: City Arts Facility. (District VI)
(Deferred from 12-30-2003)

RECOMMENDED ACTION: Approve the revised project budget and approve the Change Order.

NEW BUSINESS

5. Amendment of Industrial Revenue Bond Documents, Big Dog Motorcycles, L.L.C. (District I)

City Council approved the issuance of IRBs in the amount of \$1.1 million, and granted a five-plus-five-year 100% tax exemption on all bond-financed property to Big Dog Motorcycles, L.L.C. Big Dog Motorcycle is requesting an amendment to the Ordinance and other bond document consenting to a change in ownership of the bondholder.

RECOMMENDED ACTION: Place the Ordinances on first reading approving amended bond documents.

6. Public Hearing and Request for Letter of Industrial Revenue Bonds, Wichita Sheet Metal Supply, Inc. (District IV)

Wichita Sheet Metal was granted a 85% property tax abatement for a five-year term with a second five years based on Council review. Wichita Sheet Metal is planning to purchase additional machinery and is now requesting a six-month Letter of Intent for the issuance of Industrial Revenue Refunding and Improvement Bonds in the amount not-to-exceed \$2,625,000. The company also requests a five-year 51.5% property tax exemption on the new IRB-financed property.

RECOMMENDED ACTION: Approve a six-month Letter of Intent to Wichita Sheet Metal Supply, Inc. for issuance of Industrial Revenue Refunding and Improvement Bonds in the amount not to exceed \$2,625,000; grant a five-year property tax exemption on the new bond-financed property; extend the tax exemption on the 1998 IRB-financed real and personal property for a second five-year period subject to Standard Letter of Intent conditions; and authorize the necessary signatures.

(9:30 a.m. or soon thereafter)

7. Repair or Removal of Dangerous and Unsafe Structures.

On November 18, 2003, a report was submitted with respect to the dangerous and unsafe conditions on three (3) properties. The Council adopted resolutions providing for a public hearing to be held on these condemnation actions at 9:30 a.m. or as soon thereafter, on January 6, 2004.

<u>Property Address</u>	<u>Council District</u>
a) 4460 East Boston	III
b) 1137 North Indiana	I
c) 1334 North Hydraulic	I

RECOMMENDED ACTION: Adopt the resolutions declaring the buildings dangerous and unsafe structures and accept the BCSA recommended action to proceed with condemnation allowing 10 days to start demolition and 10 days to complete removal of the structure.

8. Petition to Construct a Cul-de-sac on Mosley, South of Pawnee. (District III)

The signatures on the Petition represent 37 of 72 (51.39%) resident owners and 44.28% of the improvement district area. District III Advisory Board sponsored a December 3, 2003, neighborhood hearing on the project.

RECOMMENDED ACTION: Approve the Petition; adopt the resolution; and authorize Staff Screening and Selection Committee to select a design engineer.

9. Petition to Pave Lulu, from 45th Street South to 44th Street South. (District III)

The signatures on the Petition represent 1 of 7 (14.29%) resident owners and 50.27% of the improvement district area. The property owner signing the Petition is platting a vacant tract on the east side of Lulu into residential lots. On November 4, 2003, District III Advisory Board sponsored a neighborhood hearing on the project. The Board voted 8-1 to oppose the Petition due to opposition from homeowners on the west side of Lulu.

RECOMMENDED ACTION: Approve the Petition with properties in the improvement district on the east side of Lulu being assessed at twice the rate as properties on the west side of Lulu, and adopt the resolution.

10. Petition to pave 45th Street South, from Lulu to Hydraulic. (District III)

The signatures on the Petition represent 13 of 24 (54.17%) resident owners and 75.29% of the improvement district area. District III Advisory Board sponsored a November 5, 2003, neighborhood hearing on the project. The Board voted 9-0 to recommend approval.

RECOMMENDED ACTION: Approve the Petition and adopt the Resolution.

11. Emergency Medical Services System and Fire Enhancements.

On November 4, 2003, the City Council approved a new Emergency Medical Services System agreement with Sedgwick County. An integral part of the agreement is the new Emergency Medical Services Board. This body will play a pivotal role in developing policies to improve the system in the future.

RECOMMENDED ACTION: Approve the EMSS and Fire Enhancement Plan.

12. Statewide initiative to prevent Base closures.

Between now and May 2005, Congress will consider the closure of military bases throughout the United States. It is anticipated that in September of 2005 the President will approve recommendations for base closures.

RECOMMENDED ACTION: Authorize participation in the statewide initiative and authorize funding not to exceed \$50,000.

CITY COUNCIL AGENDA

13. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

CONSENT AGENDA

14. Report of the Board of Bids and Contracts:

RECOMMENDED ACTION: Receive and file report; approve Contracts;
authorize necessary signatures.

15. Applications for Licenses to Retail Cereal Malt Beverages:

<u>New Establishment</u>	<u>2004</u>	<u>(Consumption off Premises)</u>
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John M. Vo	Discount Cigarettes #2	3448 West Douglas
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RECOMMENDED ACTION: Approve license subject to
Staff review and approval.

16. Preliminary Estimates:

- a) Traffic Signalization - Phase II, at Gold & MacArthur (472-83609/710216/231078) Traffic to be maintained during construction using flagpersons and barricades. (District IV) - \$180,000.00
- b) Water Line Relocation for Harry and McLean Intersection (448-89830/636127/773523) Traffic to be maintained during construction using flagpersons and barricades. (District IV) - \$51,302.24

RECOMMENDED ACTION: Approve and file.

17. Petitions for Public Improvements:

- a) Petition to construct a sanitary sewer to serve Gateway Center and Kiser West Additions, south of 13th Street, east of Greenwich. (District II)
- b) Petition to construct a storm water sewer in Brighton Court Addition, south of 21st Street, west of Webb. (District II)
- c) Petition to construct a water distribution system to serve part of West Central Gardens Addition, north of Central, west of I-235 Expressway. (District V)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

18. Minutes of Advisory Boards/Commissions:

Alternative Correctional Housing Advisory Board, September 25, 2003
Special Joint Investment Committee/Police & Fire Retirement Board, October 27, 2003
Special Joint Investment Committee/Police & Fire Retirement Board, October 28, 2003
Wichita Public Library Monthly Report, November 2003
Wichita Airport Advisory Board, November 3, 2003
Board of Code Standards and Appeals, November 3, 2003
Special Joint Investment Committee/Police & Fire Retirement Board, November 6, 2003
Board of Park Commissioners, November 10, 2003
Wichita Public Library Board of Directors, November 18, 2003
Special Joint Investment Committee/Police Fire Retirement Board, November 19, 2003
Design Council/ Special Meeting, December 10, 2003

RECOMMENDED ACTION: Receive and file.

19. Consideration of Street Closures/Uses.

River Festival Street Closures.

Douglass Avenue from Waco to Water-May 12-14, from 3 p.m. to midnight.
Parking lane on Century II Drive from Main to Douglas Street, April 29-May 17.

RECOMMENDED ACTION: Approve street closures/uses.

20. Agreements/Contracts:

- a) Easement Encroachment Agreement. (District II)
- b) Supplemental Agreement for construction engineering for landscaping on 29th Street North from Rock Road to Webb Road. (Districts I & III)
- c) Supplemental Agreement for Hydraulic from MacArthur to the City Limits. (District III & IV)
- d) Supplemental Agreement for Hawthorne Addition, north of 21st, east of 127th Street East. (District II)
- e) Supplemental Agreement for Reed's Cove and Reed Commercial Additions, south of 21st Street, east of 127th Street East. (District II)
- f) Supplemental Agreement for The Waterfront Addition and Beech Lake Development, east of Webb, north of 13th Street. (District II)
- g) Agreement for payment by property owner of cost of Brick Pavers for Pedestrian Way on south side of Kansas Paint Parking Lot. (District VI)
- h) Reimbursement of overtime salary costs and other costs including but not limited to travel, fuel, training and equipment, incurred by the Wichita Fire Department in providing resources to assist the BATF with the Arson Response Group.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

21. Railroad Permits for Main 19, Phase 4, Southwest Interceptor Sewer Located North of 21st Street, and East of Tyler Road in Basin 4. (District V)

RECOMMENDED ACTION: Approve the railroad permits and authorize the necessary signatures.

22. First Reading Ordinances:

- a) Health nuisance – lot clean up.

An Ordinance making a special assessment to pay for the cost of cutting weeds in the City of Wichita, Kansas.

- b) Weed mowing.

An Ordinance making a special assessment to pay for the cost of abating certain public health nuisances (lot clean up) under the provision of Section 7.40.050 of the Code of the City of Wichita, Kansas. Be it ordained by the governing body of the City of Wichita, Kansas.

RECOMMENDED ACTION: Place Ordinances on first reading.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

* Consent Items

23. *ZON2003-00059 – Zone Change from “SF-5” Single-family Residential to “NR” Neighborhood Retail. Generally Located Approximately 1/4 Mile East of the Maple Street – 135th Street West Intersection, on the South Side of Maple Street. (District V)

RECOMMENDED ACTION:

1. Concur with the findings of the MAPC and approve the zone change, subject to the additional recommended provisions of a Protective Overlay District and subject to the condition of platting within one year; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Council; or
2. Return the application to the MAPC for reconsideration.

24. *ZON 2003-00061 – Zone Change from “GC” General Commercial to “SF-5” Single-Family Residential. Generally Located North of Kellogg, 1/4 Mile West of 135th Street West. (District V)

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the zone change subject to the condition of platting within a year; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Council; or

2. Return the application to the MAPC for reconsideration.

25. *SUB 2003-73-Plat of Hidden Glen Addition, Located on the West Side of Hydraulic, Between 44th Street and 45th Street South.

RECOMMENDED ACTION: Approve the plat; authorize the necessary signatures; and adopt the resolutions.

26. *SUB 2003-122-Plat of Auburn Hills 15th Addition, Located West of 135th Street West, on the North Side of Kellogg. (District V)

RECOMMENDED ACTION: Approve the plat; authorize the necessary signatures; and adopt the resolutions.

27. *A03-26-Request to Annex Land, Generally Located at the Northwest Corner of the Intersection of 21st Street North and 143rd Street East. (District II)

RECOMMENDED ACTION: Approve the annexation request and first reading of the Ordinance.

28. *A04-01-Request by Property Management Corporation to Annex Land Generally Located at the Northeast Corner of 143rd Street East and Kellogg. (District II)

RECOMMENDED ACTION: Approve the annexation request and first reading of the Ordinance.

29. *A04-02-Request by Ritchie Investment Company to Annex Land Generally Located near the Southeast Corner of the Intersection of K-96 and Ridge Road. (District V)

RECOMMENDED ACTION: Approve the annexation request and first reading of the Ordinance.

Adjournment
